

Disciplinary#
1012348

Case 1:04-cv-01243-JJF

DCG Delaware Correctional Center
Smyrna Landing Road
SMYRNA DE, 19977
Phone No. 302-653-9261

Document 28-2 Filed 12/19/2005

Page 1 of 9 Date: 08/28/2004

24 HOUR

DISCIPLINARY REPORT

Disciplinary Type: <u>Summary</u>		Housing Unit: <u>Bldg 21</u>		IR#: <u>1015113</u>	
SBI#	Inmate Name	Inst. Name	Location Of Incident	Date	Time
00163750	Proctor, Ronald E J	DCC	Bldg.22 C Tier	08/28/2004	16:15

Violations: 2.06/200.108 Failing to Obey an Order

Witnesses: 1. N/A

2. N/A

3. N/A

Description of Alleged Violation(s)

On The Above Date At The Approximate Time, C/O William Kuschel Was Conducting A Tier Check In Mhu 21 On C Wing When Observed That I/M Proctor Had His Cell Light Covered Or Partially Covered With Material And/Or His Window Covered Or Partially Covered With Material: C16 I/M Proctor, Ronald Sbi# 163750. General Note, This Has Been A Reoccurring Problem.

Reporting Officer: Kuschel, William J (Correctional Officer)

Immediate Action Taken

Immediate action taken by: Kuschel, William J -Correctional Officer

Ordered I/M To Remove Material From Window And/Or Lights. Wrote 24 Hr. Loap

Offender Disposition Details

Disposition: N/A

Date: N/A

Time: N/A

Cell secured? No

Reason: N/A

Disposition Of Evidence: N/A

Approval Information

Approved: ☒

Disapproved: ☐

Approved By: Belanger, Joseph (Shift Commander - Large Inst.)

Comments: N/A

Shift Supervisor Details

Date Received: 08/28/2004

Time: 22:23

Received From: [Signature]

Shift Supervisor Determination:

[X] Upon reviewing this Disciplinary Report, I conclude that the offense may be properly responded to by an immediate revocation of the following privileges(see reverse side) for 24 hours not to exceed 24 hours)

[] Upon reviewing this Disciplinary Report, I conclude that the offense would be properly responded to by Disciplinary Hearing

[Signature]
Belanger, Joseph (Shift Commander - Large Inst.)

I have received a copy of this notice on DATE: _____ TIME: _____ and have been informed of my rights to have a hearing and to present evidence on my own behalf. I understand, if found guilty, I will be subject to imposition of sanctions outlined in the Rules of conduct.

Preliminary Hearing

Officer:

Belanger, Joseph

Offender:

Proctor, Ronald E J

DCC Delaware Correctional Center

Date: 08/31/2004

Smyrna Landing Road

SMYRNA DE. 19977

Phone No. 302-653-9261

SUMMARY DISCIPLINARY REPORT

The following sanctions were imposed by Summary Disciplinary Action on the indicated:

Offender Name: PROCTOR, RONALD E J

SBI#: 00163750

Institution : DCC Delaware Correctional Center

Location: Bldg.22 C Tier

Sanction Start Date: **Time:**

End Date: **Time:**

Violation Description: 036. 2.06/200.108 Failing to Obey an Order

Sanctions Imposed: Loss of All Privileges/24 Hrs

INMATE'S SIGNATURE
PROCTOR, RONALD E J

STAFF WITNESS' SIGNATURE
Kuschel, William J

Disciplinary#
1012083

DCC Delaware Correctional Center

Date: 12/15/2005

Smyrna Landing Road

SMYRNA DE, 19977

Phone No. 302-653-9261

DISCIPLINARY REPORTDisciplinary Type: Class1Housing Unit: Bldg 17IR#: 1014804

SBI#	Inmate Name	Inst. Name	Location Of Incident	Date	Time
00163750	Proctor, Ronald E J	DCC	21	08/19/2004	06:00

Violations: 2.01/200.105 Abuse of Privileges, 2.06/200.108 Failing to Obey an Order, 2.13/200.111 Possession of Non-Dangerous Contraband, 2.14 Unauthorized CommunicationWitnesses: 1. N/A2. N/A3. N/A**Description of Alleged Violation(s)**

On Above Date I/M Ronald Proctor # 00163750 Was Departing Bldg 21 For Breakfast And Had Numerous Letters In His Hand That H
Dropped In The Mailbox. I, C/O George Coventry When Emptying The Mail Found That Some Mail Had Been Taped Closed ,Which I
Not Authorised Since It Is Contraband, And Was Being Sent To Another Inmate By I/M Proctor Which Has To Be Approved And Wa
Not . Item Was Confiscated And Placed In An Evidence Bag And A #537 And Write Up Were Completed

Reporting Officer: Coventry, George (Booking/Receiving Room Officer)**Immediate Action Taken**Immediate action taken by: Coventry, George -Booking/Receiving Room Officer

404 Submitted ,Area L/T Notified. Evidence Secured In Evidence Bag And Attached To A #537

Offender Disposition DetailsDisposition: N/ADate: N/ATime: N/ACell secured? NoReason: N/ADisposition Of Evidence: N/A**Approval Information**Approved: ☒ Disapproved: ☐ Approved By: Reynolds, Kirk (Shift Commander - Large Inst.)Comments: Inmate Referred To Mab**Shift Supervisor Details**

Date Received:

Time:

Received From: **Shift Supervisor Determination:**

- ☐ Upon reviewing this Disciplinary Report, I conclude that the offense may be properly responded to by an immediate revocation of the following privileges(see reverse side) for _____ hours not to exceed 24 hours)
- ☐ Upon reviewing this Disciplinary Report, I conclude that the offense would be properly responded to by Disciplinary Hearing

Reynolds, Kirk (Shift Commander - Large Inst.)

I have received a copy of this notice on DATE: _____ TIME: _____ and have been informed of my rights to have
a hearing and to present evidence on my own behalf. I understand, if found guilty, I will be subject to imposition of sanctions
outlined in the Rules of conduct.

Preliminary Hearing
Officer: _____

Offender: _____

Proctor, Ronald E J

Incident#
1014804

DCC Delaware Correctional Center

Date: 12/15/2005

Smyrna Landing Road

SMYRNA DE. 19977

Phone#: 302-653-9261

INCIDENT REPORTGroup#: N/A Type: Inmate InvolvedIncident Date: 08/19/2004Time: 06:00Confidential: NoFacility: DCC Delaware Correctional CenterFollowup Required: NoAssociated Disciplinary Report #(s): 1012083Incident Location: 21Location Description: front hallway to buildingViolated Conditions: 2.01/200.105 Abuse of Privileges2.06/200.108 Failing to Obey an Order2.13/200.111 Possession of Non-Dangerous Contraband2.14 Unauthorized CommunicationFailing to obey an order/abide by posted regulations and/or assignments.

Description of Incident:

ON ABOVE DATE I/M RONALD PROCTOR # 00163750 WAS DEPARTING BLDG 21 FOR BREAKFAST AND HAD NUMEROUS LETTERS IN HIS HAND THAT HE DROPPED IN THE MAILBOX. I, C/O GEORGE COVENTRY WHEN EMPTYING THE MAIL FOUND THAT SOME MAIL HAD BEEN TAPED CLOSED, WHICH IS NOT AUTHORIZED SINCE IT IS CONTRABAND, AND WAS BEING SENT TO ANOTHER INMATE BY I/M PROCTOR WHICH HAS TO BE APPROVED AND WAS NOT. ITEM WAS CONFISCATED AND PLACED IN AN EVIDENCE BAG AND A #537 AND WRITE UP WERE COMPLETED

Injured Persons

Hospitalized

Nature Of Injuries

N/A

N/A

N/A

Evidence Type: LEGAL PAPERSDate Collected: 08/19/2004Discovered By: George, C/O CoventrySecured By: N/AType of Force Used: ☐ PHYSICAL ☐ CHEMICAL ☐ STUN ☐ OTHER ☐ CAPSTUN ☒ NONERestraints Used : N/A

Immediate Action Taken:

N/A

Individuals Involved

Person Code	Name	SBI#	Title
Staff	George, Coventry	N/A	Booking/Receiving Room Officer
Inmate	Ronald, Proctor E J	00163750	N/A

Reporting Officer: Coventry, George (Booking/Receiving Room Officer)Entered By: Coventry, George (Booking/Receiving Room Officer)

Approval Information

☒ Approved ☐ Disapproved Date: 08/20/2004 Approved by: Reynolds, Kirk (Shift Commander - Large Inst.)Comments: I/M referred to MAB

Disciplinary#
1012030DCC Delaware Correctional Center
Smyrna Landing Road
SMYRNA DE, 19977
Phone No. 302-653-9261

Date: 12/15/2005

DISCIPLINARY REPORTDisciplinary Type: Class 1Housing Unit: Bldg 17IR#: 1014741

SBI#	Inmate Name	Inst. Name	Location Of Incident	Date	Time
00163750	Proctor, Ronald E J	DCC	21	08/17/2004	05:20

Violations: 1.06/200.203 Disorderly or Threatening Behavior, 2.05 Disrespect, 2.06/200.108 Failing to Obey an Order, 2.10/200.21 Lying, Disorderly behavior, Disrespect to staff, Making any personal threats to staff.

Witnesses: 1. N/A2. N/A3. N/A**Description of Alleged Violation(s)**

As If On Above Date As We Were Running C Tier To Chow I/M Ronald Proctor #163750 Came Out With Some Mail Attached To His Shirt Pocket. I/M Has Been Warned Many Times In The Past That Nothing Is To Leave The Building Except A Institutional Grievance On The 12 To 8 Shift. As I/M Proctor Passed By The Mailbox He Was Asked By Me C/O Coventry What Are You Trying To Take Out Of The Building Now. Proctor Failed To Respond So He Was Asked Again And He Mumbled Something Under His Breath And Wave His Arm At Me As If He Was Dismissing Me And Kept Walking. I/M Was At This Time Ordered By Me To Stop And Show Me What He Had. I/M Refused Said Order. I/M Was Ordered To Give Me What He Had So It Could Be Inspected And Again He Refused. At This Time C/O S. Ettinger Stepped In To Assist If Needed And I Went To Take The Item From Proctor. As I Reached Out And Grabbed His Arm To Stop Him And Get Said Item He Jerked His Arm From Me And Stated "Get Off Of Me You No Good Mother Fucker" Sgt Faust Saw I/M Proctor Was Causing A Problem And Came To Assist Also. Proctor Was Pushed Up Against The Fencing And Iter Was Removed From Him As He Continued To Resist Giving It Up For Inspection. Sgt Faust Ordered Him More Than Once To Stop Resisting And Comply With The Officers Order. Proctor Started With More Profanity And Also Threats. Proctor Stated "You Fuckers With The Wrong One Now, I Can Make A Phone Call And Have You Taken Out. When I Get Out I Will Come Looking For You And You Will End Up At Dead Mans Curve Or Dead Mans Lake" Sgt Faust Ordered Us To Take I/M Proctor And Secure Him In His Cell And As We Escorted Him Towards It He Continued With The Threats And Profanity Until He Was Secured In His Cell.

Reporting Officer: Coventry, George (Booking/Receiving Room Officer)**Immediate Action Taken**Immediate action taken by: Coventry, George -Booking/Receiving Room Officer

1) Ir And Dr Forms Completed, 2) Mhu Area Lt. Notified Of Write Up.

Offender Disposition DetailsDisposition: N/ADate: N/ATime: N/ACell secured? NoReason: N/ADisposition Of Evidence: N/A**Approval Information**Approved: ☐ Disapproved: ☐ Approved By: ()Comments: N/A**Shift Supervisor Details**

Date Received:

Time:

Received From: ()**Shift Supervisor Determination:**

- ☐ Upon reviewing this Disciplinary Report, I conclude that the offense may be properly responded to by an immediate revocation of the following privileges(see reverse side) for _____ hours not to exceed 24 hours)
- ☐ Upon reviewing this Disciplinary Report, I conclude that the offense would be properly responded to by Disciplinary Hearing

Incident#
1014741

DCC Delaware Correctional Center

Date: 12/15/2005

Smyrna Landing Road

SMYRNA DE. 19977

Phone#: 302-653-9261

INCIDENT REPORT

Group#: N/A Type: Inmate Involved Incident Date: 08/17/2004 Time: 05:20 Confidential: No

Facility: DCC Delaware Correctional Center

Followup Required : No

Associated Disciplinary Report #(s): 1012028

Associated Disciplinary Report #(s): 1012029

Associated Disciplinary Report #(s): 1012030

Incident Location: 21

Location Description: FRONT CORRIDOR

Violated Conditions: 1.06/200.203 Disorderly or Threatening Behavior

2.05 Disrespect

2.06/200.108 Failing to Obey an Order

Disorderly behavior

Disrespect to staff. Making any personal threats to staff.

Description of Incident:

ON ABOVE DATE AS WE WERE RUNNING C TIER TO CHOW I/M RONALD PROCTOR #163750 CAME OUT WITH SOME MAIL ATTACHED TO HIS SHIRT POCKET. I/M HAS BEEN WARNED MANY TIMES IN THE PAST THAT NOTHING IS TO LEAVE THE BUILDING EXCEPT AN INSTITUTIONAL GRIEVANCE ON THE 12 TO 8 SHIFT. AS I/M PROCTOR PASSED BY THE MAILBOX HE WAS ASKED BY ME C/O COVENTRY WHAT ARE YOU TRYING TO TAKE OUT OF THE BUILDING NOW. PROCTOR FAILED TO RESPOND SO HE WAS ASKED AGAIN AND HE MUMBLED SOMETHING UNDER HIS BREATH AND WAVED HIS ARM AT ME AS IF HE WAS DISMISSING ME AND KEPT WALKING. I/M WAS AT THIS TIME ORDERED BY ME TO STOP AND SHOW ME WHAT HE HAD. I/M REFUSED SAID ORDER. I/M WAS ORDERED TO GIVE ME WHAT HE HAD SO IT COULD BE INSPECTED AND AGAIN HE REFUSED. AT THIS TIME C/O/ S. ETtinger STEPPED IN TO ASSIST IF NEEDED AND I WENT TO TAKE THE ITEM FROM PROCTOR. AS I REACHED OUT AND GRABBED HIS ARM TO STOP HIM AND GET SAID ITEM HE JERKED HIS ARM FROM ME AND STATED " GET OFF OF ME YOU NO GOOD MOTHER Fucker" SGT. FAUST SAW I/M PROCTOR WAS CAUSING A PROBLEM AND CAME TO ASSIST ALSO. PROCTOR WAS PUSHED UP AGAINST THE FENCING AND ITEM WAS REMOVED FROM HIM AS HE CONTINUED TO RESIST GIVING IT UP FOR INSPECTION. SGT FAUST ORDERED HIM MORE THAN ONCE TO STOP RESISTING AND COMPLY WITH THE OFFICERS ORDER. PROCTOR STARTED WITH MORE PROFANITY AND ALSO THREATS. PROCTOR STATED "YOU Fucked WITH THE WRONG ONE NOW, I CAN MAKE A PHONE CALL AND HAVE YOU TAKEN OUT. WHEN I GET OUT I WILL COME LOOKING FOR YOU AND YOU WILL END UP AT DEAD MANS CURVE OR DEAD MANS LAKE " SGT FAUST ORDERED US TO TAKE I/M PROCTOR AND SECURE HIM IN HIS CELL AND AS WE ESCORTED HIM TOWARDS IT HE CONTINUED WITH THE THREATS AND PROFANITY UNTILL HE WAS SECURED IN HIS CELL.

Injured Persons

Hospitalized

Nature Of Injuries

N/A

N/A

N/A

Evidence Type: 1 letter

Date Collected: 08/17/2004

Discovered By :George, C/O Coventry

Secured By: George, C/O Coventry

Type of Force Used: ☐ PHYSICAL ☐ CHEMICAL ☐ STUN ☐ OTHER ☐ CAPSTUN ☒ NONE

Restraints Used : N/A

Immediate Action Taken:

1) Ir and DR forms completed, 2) 537 completed, 3) MHU Lt. Notified of situation.

Individuals Involved

Person Code	Name	SBI#	Title
Staff	George, Coventry	N/A	Booking/Receiving Room Officer
Staff	William, Faust G Jr	N/A	CO Corporal/Sgt. - Large Inst.
Staff	Scott, Ettinger C	N/A	Correctional Officer
Inmate	Ronald, Proctor E J	00163750	N/A

Reporting Officer: Coventry, George (Booking/Receiving Room) Entered By: Coventry, George (Booking/Receiving Room)

Disciplinary#
1011958

DCC Delaware Correctional Center

Smyrna Landing Road
SMYRNA DE, 19977
Phone No. 302-653-9261

24 HOUR

DISCIPLINARY REPORT

Disciplinary Type: Summary

Housing Unit: Bldg 21

IR#: 1014651

SBI#	Inmate Name	Inst. Name	Location Of Incident	Date	Time
00163750	Proctor, Ronald E J	DCC	Bldg.21 B Tier	08/13/2004	11:27

Violations: 2.06/200.108 Failing to Obey an Order, 2.11/200.102 Off Limits

Witnesses: 1. N/A

2. N/A

3. N/A

Description of Alleged Violation(s)

On August 13, 2004 At Approximately 1127 Hours C Wing In Building 21 Was Returning From Chow. At That Time I C/O Wood James Observed I/M Proctor, Ronald Sbi#163750 Walk Around To B Tier In The Opposite Direction Of His Tier. At That Time I/I Proctor Stopped At B Tier And Was Holding A Conversation With Several Inmates On B Tier That Were Staged For Chow. I/M Proctor Knows That This Is In Violation Of Mhu Housing Rules. I/M Proctor Was Informed That He Is On A 24 Loap. Eor

Reporting Officer: Wood, James C (Correctional Officer)

Immediate Action Taken

Immediate action taken by: Wood, James C -Correctional Officer

I/M Locked In And Informed That He Is On A 24 Loap

Offender Disposition Details

Disposition: N/A

Date: N/A

Time: N/A

Cell secured? No

Reason: N/A

Disposition Of Evidence: N/A

Approval Information

Approved: ☒ Disapproved: ☐ Approved By: Belanger, Joseph (Shift Commander - Large Inst.)

Comments: N/A

Shift Supervisor Details

Date Received: 08/19/2004

Time: 08:27

Received From: J. Wood, James C

Shift Supervisor Determination:

- ☒ Upon reviewing this Disciplinary Report, I conclude that the offense may be properly responded to by an immediate revocation of the following privileges(see reverse side) for 24 hours not to exceed 24 hours)
- ☐ Upon reviewing this Disciplinary Report, I conclude that the offense would be properly responded to by Disciplinary Hearing

Belanger, Joseph (Shift Commander - Large Inst.)

I have received a copy of this notice on DATE: _____ TIME: _____ and have been informed of my rights to have a hearing and to present evidence on my own behalf. I understand, if found guilty, I will be subject to imposition of sanctions outlined in the Rules of conduct.

Preliminary Hearing
Officer:

Belanger, Joseph

Offender:

Proctor, Ronald E J

DCC Delaware Correctional Center
Smyrna Landing Road
SMYRNA DE, 19977
Phone No. 302-653-9261

Date: 08/20/2004

SUMMARY DISCIPLINARY REPORT

The following sanctions were imposed by Summary Disciplinary Action on the indicated:

Offender Name: PROCTOR, RONALD E J

SBI#: 00163750

Institution : DCC Delaware Correctional Center

Location: Bldg.21 B Tier

Sanction Start Date: **Time:**

End Date: **Time:**

Violation Description: 036. 2.06/200.108 Failing to Obey an Order

041. 2.11/200.102 Off Limits

Sanctions Imposed: Loss of All Privileges/24 Hrs

INMATE'S SIGNATURE
PROCTOR, RONALD E J

STAFF WITNESS' SIGNATURE
Wood, James C

Disciplinary#
1011828

DCC Delaware Correctional Center

Date: 12/15/2005

Smyrna Landing Road

SMYRNA DE, 19977

Phone No. 302-653-9261

DISCIPLINARY REPORT

Disciplinary Type: <u>Class2</u>		Housing Unit: <u>Bldg 17</u>		IR#: <u>1014510</u>	
SBI#	Inmate Name	Inst. Name	Location Of Incident	Date	Time
00163750	Proctor, Ronald E J	DCC	Bldg.24 Chow Hall B	08/09/2004	06:30

Violations: 2.06/200.108 Failing to Obey an Order 2.11/200.102 Off LimitsWitnesses: 1. N/A2. N/A3. N/A**Description of Alleged Violation(s)**

On The Above Date And Time I, Sgt. Faust, William Was Working As The Rover Outside The Chow Halls. Inmate Proctor, Ronald From Mhu 21, C Tier Wanted Me To Sign Off On Two Pay To'S For Legal Mail.

I Informed Him Not At This Time And I Would Handle It After Chow Was Done. This Was Not Good Enough For Him. Once He Had The Two Items That Need -Ed To Be Sign Off He Went Over To 24 Control Flap And Place The Items Inside For The Pod Officer To Do. I Again Removed The Two Letters And Handed Them Back And Told Inmate Proctor That This Was Chow Time And This Matter Would Be Handle After Chow By Me.

I Ordered Him To B Chow Hall And He Disregarded My Order And Walked Into A Chow Hall To Speak To The Lt. Barlow About His Legal Mail And The Pay To'S That Needed To Be Signed Off. Lt. Barlow Told Him This Was Not The Time And That Sgt. Faust Would Handle This Situation After Chow.

Briefly After Entering B Chow Hall Inmate Proctor Walked Out To Complain To The Lt. Barlow. I Called Building Number 21 To Have Officer Come Up And Return Inmate Proctor To His Cell.

Note: Inmate Proctor Was Given A Feed In Tray As Per Policy And His Pay To'S Were Taken Care Of By Me After Chow.

Inmate Proctor Was Notified He Had A 24 Hour L.O.A. P. For His Above Actions.

Reporting Officer: Faust, William G Jr(Correctional Officer)**Immediate Action Taken**Immediate action taken by: Faust, William G Jr-Correctional Officer

1) In And Dr Forms Were Filled Out, 2) Mhu Area Lt. Was Notified Of Write Up, 3) Inmate Proctor Was Advised He Had A 24 Hour Loop Write Up For His Actions..

Offender Disposition DetailsDisposition: N/ADate: N/ATime: N/ACell secured? NoReason: N/ADisposition Of Evidence: N/A**Approval Information**Approved: ☒Disapproved: ☐Approved By: Scarborough, James (Shift Commander - Large Inst.)Comments: N/A**Shift Supervisor Details**

Date Received:

Time:

Received From: _____**Shift Supervisor Determination:**

☐ Upon reviewing this Disciplinary Report, I conclude that the offense may be properly responded to by an immediate revocation of the following privileges(see reverse side) for _____ hours not to exceed 24 hours)

☐ Upon reviewing this Disciplinary Report, I conclude that the offense would be properly responded to by Disciplinary Hearing